

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**
MIGUELINA MIRANDA DE SANTOS,

Plaintiff,

v.

JUDGMENT

EXCELENTE GIL CAFETERIA &
RESTAURANT CORP., JOSE GIL a/k/a
JOSE A. GIL and ARACELIS ALMANZAR

Case No: 22-cv-03458

Defendants.

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WHEREAS, Plaintiff MIGUELINA MIRANDA DE SANTOS filed a complaint against the Defendants EXCELENTE GIL CAFETERIA & RESTAURANT CORP., JOSE GIL a/k/a JOSE A. GIL and ARACELIS ALMANZAR on April 28, 2022, alleging violations of the Fair Labor Standards Act and New York Labor Law;

WHEREAS Defendants Answered on July 22, 2022;

WHEREAS Defendants made an offer of judgment to Plaintiff MIGUELINA MIRANDA DE SANTOS pursuant to Federal Rule of Civil Procedure 68 on December 11th, 2023;

WHEREAS, Plaintiff MIGUELINA MIRANDA DE SANTOS accepted the offer of judgment and filed notice of acceptance on December 25, 2023;

NOW THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that a judgment be entered against the Defendants EXCELENTE GIL CAFETERIA & RESTAURANT CORP., JOSE GIL a/k/a JOSE A. GIL and ARACELIS ALMANZAR, inclusive of attorneys' fees and costs, in favor of Plaintiff MIGUELINA MIRANDA DE SANTOS, in the gross amount of \$110,000.00 allocated in the following manner:

1. Plaintiff MIGUELINA MIRANDA DE SANTOS shall have judgement against

Defendant ARACELIS ALMANZAR in the amount of \$10,000.00.

2. Plaintiff MIGUELINA MIRANDA DE SANTOS shall have judgment jointly and severally against Defendant EXCELENTE GIL CAFETERIA & RESTAURANT CORP. and JOSE GIL a/k/a JOSE A. GIL in the amount of \$60,000.00.
3. Plaintiff MIGUELINA MIRANDA DE SANTOS shall have judgment against Defendant EXCELENTE GIL CAFETERIA & RESTAURANT CORP. in the amount of \$40,000.00.

For the avoidance of doubt, the compromise offered pursuant to Rule 68 contemplates entry of three separate judgments, for a maximum possible recovery of \$110,000.00 across all Defendants.

This Judgment covers all of the Plaintiff's claims, including but not limited to compensatory damages, statutory damages, liquidated damages, penalties, and interest, and inclusive of all reasonable costs and fees (such as attorneys' fees).

This Judgment was made for the purposes specified in Rule 68, and shall not to be construed as either an admission that any of the Defendants is liable in this action, or that Plaintiff has suffered any damage.

The Defendants waive any appeal from this judgment.

Dated: New York, NY

December 27, 2023

SO-ORDERED:

A handwritten signature in black ink, appearing to read "T. P. Chen", is written over a horizontal line.

U.S.D.J.